

JOINT DECLARATION FOR PATENT APPLICATION

As below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our respective names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled A SYSTEM FOR REPAIRING DISTRESSED ROADS THAT INCLUDES AN ASPHALT INTERLAYER, the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed? Y/N	Certified Copy Attached? Y/N
None				

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date (MM/DD/YYYY)
None	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

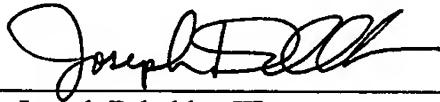
Application Number(s)	Filing Date (MM/DD/YYYY)
None	

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and to file and prosecute any corresponding foreign applications, including any international applications under the Patent Cooperation Treaty or the European Patent Convention: William B. Kircher, Reg. No. 22,481; James H. Marsh, Jr., Reg. No. 24,533; J. David Wharton, Reg. No. 25,717; Joseph B. Bowman, Reg. No. 25,807; Peter W. Gowdey, Reg. No. 25,872; Richard R. Johnson, Reg. No. 27,452; Walter R. Brookhart, Reg. No. 29,518; James H. Riley, II, Reg. No. 31,131; Joan Optican Herman, Reg. No. 31,968; Michael B. Hurd, Reg. No. 32,241; Michael J. Gross, Reg. No. 35,528; William P. Jensen, Reg. No. 36,833; Chris Murphy, Reg. No. 39,786; Daniel W. Shinn, Reg. No. 40,810; B. Trent Webb, Reg. No. 40,865; Susan J. Wharton, Reg. No. 41,524; Scott B. Strohm, Reg. No. 42,172; Janine A. Carlan, Reg. No. 42,387; Clinton G. Newton, Reg. No. 42,930; Ladi Shogbamimu, Reg. No. 46,291; and Dennis Danella, Reg. No. 46,653. Address all correspondence to: Susan J. Wharton, SHOOK, HARDY & BACON L.L.P., One Kansas City Place, 1200 Main Street, Kansas City, Missouri 64105-2118, telephone number (816) 474-6550.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature:  Date 9/18/2001
Phillip B. Blankenship

Residence: Wichita, Sedgwick County, Kansas
Citizenship: U.S.A.
Post Office Address: 6203 East Brookview Court
Wichita, Kansas 67220-4407

Inventor's signature:  Date 19 September 2001
Joseph Drbohlav III

Residence: Wichita, Sedgwick County, Kansas
Citizenship: U.S.A.
Post Office Address: 4843 Farmstead Court
Wichita, Kansas 67220

Inventor's signature: Michael L Hines Sept. 19, 2001
Michael L. Hines Date

Residence: Wichita, Sedgwick County, Kansas

Citizenship: U.S.A.

Post Office Address: 2239 North Chadsworth
Wichita, Kansas 67205



DECEMBER 26, 2001

PTAS

SHOOK, HARDY & BACON L.L.P.
SUSAN J. WHARTON
ONE KANSAS CITY PLACE
1200 MAIN STREET
KANSAS CITY, MISSOURI 64105-2118

This copy is intended for the
attached Divisional Patent
Application submitted herewith.

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov



101880789A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/11/2001

REEL/FRAME: 012255/0995
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

BLANKENSHIP, PHILLIP B.

DOC DATE: 09/28/2001

ASSIGNEE:

DRBOHLAV III, JOSEPH

DOC DATE: 09/28/2001

ASSIGNEE:

HINES, MICHAEL L.

DOC DATE: 09/28/2001

ASSIGNEE:

KMC ENTERPRISES, INC.
4111 EAST 37TH STREET NORTH
P.O. BOX 1875
WICHITA, KANSAS 67201

SERIAL NUMBER: 09893314
PATENT NUMBER:

FILING DATE: 06/27/2001
ISSUE DATE:

Jaw/SJW

AB

ACTH 84/66

012255/0995 PAGE 2

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

DEC 31 2001

10-22-2001



Attorney Docket No. KOCH.84166

FORM PTO-1595

10/11/01

101880789
PATENTS ONLYU.S. DEPT. OF COMMERCE
PATENT AND TRADEMARK OFFICE

To The Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Phillip B. Blankenship,
Joseph Drbohlav III, and Michael L. Hines

Additional name(s) of conveying party(ies) attached?
 Yes No

3. Nature of Conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other: _____

Execution Date: September 28, 2001

2. Name and address of receiving party(ies):

Name: KMC Enterprises, Inc.

Internal Address: P.O. Box 1875

Street Address: 4111 East 37th Street North

City: Wichita

State: Kansas

Zip: 67201

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 09/11/01

A. Patent Application No.(s): 09/893,314

B. Patent No.(s):

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Susan J. Wharton

Internal Address: Shook, Hardy & Bacon L.L.P.
One Kansas City Place

Street Address: 1200 Main Street

City: Kansas City

State: Missouri

Zip: 64105-2118

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit Account No.: 19-2112

(Attach duplicate copy of this page if paying by deposit account)

10/19/2001 TDI AIZI 00000153 09893314

01 FC:58

40.00 DP

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Susan J. Wharton

10/8/01

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:
 Box Assignments, Under Secretary of Commerce for Intellectual Property
 and Director of the U.S. Patent and Trademark Office
 Washington, D.C. 20231

ASSIGNMENT

WHEREAS, we, Phillip B. Blankenship, of Wichita, in the County of Sedgwick, and State of Kansas, Joseph Drbohlav III of Wichita, in the County of Sedgwick, and State of Kansas, and Michael L. Hines of Wichita, in the County of Sedgwick, and State of Kansas, have invented certain new and useful improvements in

**A SYSTEM FOR REPAIRING DISTRESSED ROADS
THAT INCLUDES AN ASPHALT INTERLAYER**

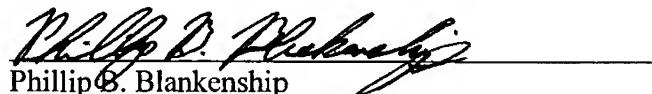
for which we have made application for Letters Patent of the United States, Serial No. 09/893,314, filed June 27, 2001; and

WHEREAS, KMC Enterprises, Inc., a corporation duly organized under the laws of the State of Kansas, and having its principal place of business at 4111 East 37th Street North, P.O. Box 1875, of Wichita, County of Sedgwick, and State of Kansas, is desirous of acquiring an interest in, to and under said invention, said application and any and all Letters Patent which may be granted for or upon said invention in the United States of America and all countries foreign thereto;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we, Phillip B. Blankenship, Joseph Drbohlav III, and Michael L. Hines, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said KMC Enterprises, Inc., the full and exclusive right, title and interest, throughout the world, in, to and under said invention as fully set forth and described in the above-identified application; in, to and under said application; in, to and under any and all refilings, divisions and continuations of said application; in, to and under any and all Letters Patent of the United States of America which may issue from said application, refilings, divisions and continuations; in, to and under any and all reissues of said Letters Patent of the United States of

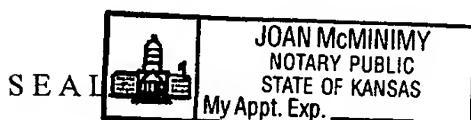
America; in, to and under any and all applications for Letters Patent upon said invention which may hereafter be filed in any and all countries foreign to the United States of America; in, to and under any and all refilings, divisions and continuations of said foreign-filed applications; in, to and under any and all Letters Patent of countries foreign to the United States of America, which may issue from the said foreign-filed applications, refilings, divisions and continuations; and in, to and under any and all extensions of, and additions to, said Letters Patent of countries foreign to the United States of America, the same to be held and enjoyed by said KMC Enterprises, Inc., for its own use and behoof, and for its successors, legal representatives and assigns, to the full end of the term for which said Letters Patent may be granted, and we do hereby authorize and request the Commissioner of Patents to issue the said Letters Patent in accordance with this assignment.

EXECUTED this 28th day of September 2001.


Phillip B. Blankenship

STATE OF KANSAS :
: ss.
COUNTY OF SEDGWICK :

Before me personally appeared Phillip B. Blankenship, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth, on the day and year aforesaid.





Notary Public

My Commission Expires:

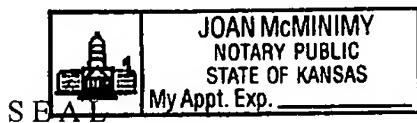
12/15/04

EXECUTED this 28 day of September, 2001.


Joseph Drbohlav III

STATE OF KANSAS :
: ss.
COUNTY OF SEDGWICK :

Before me personally appeared Joseph Drbohlav III, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth, on the day and year aforesaid.



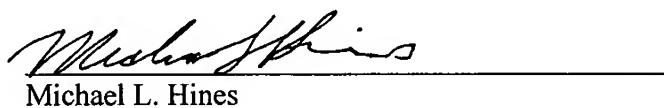


Notary Public

My Commission Expires:

12/15/04

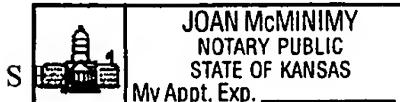
EXECUTED this 28 day of September, 2001.



Michael L. Hines

STATE OF KANSAS :
: ss.
COUNTY OF SEDGWICK :

Before me personally appeared Michael L. Hines, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth, on the day and year aforesaid.





Notary Public

My Commission Expires:

12-15-04